

because these unbuilt systems will, under the grandfather Rules, not be subject to full compliance with all of the Rules relating to LMS systems adopted by the Commission in this proceeding.^{43/} Therefore, such systems should not, as a matter of policy, be allowed to expand or modify their facilities unless they are in full compliance with the revised Rules. Such an approach would be consistent with what the Commission had in mind when it adopted the grandfather provisions, as noted in the immediately preceding paragraph. Full compliance with the revised Rules is required for these licensees by April 1, 1998; permitting them to expand or modify their systems only if they are in full compliance with the new Rules should not impose a substantial hardship on them.

X. THE COMMISSION SHOULD NOT ALTER THE EMISSION MASK SPECIFICATION IN SECTION 90.209(m).

49. Petitioners oppose those portions of the PFRs of Mobile, Pinpoint, Uniplex, Teletrac, and SW that request the current Rules be altered to modify the emission mask specification if such modification is accompanied by any relaxation of the emission mask specifications of sections 21.106, 24.133 and 94.71 of the Commission's Rules.^{44/} Mobile, Pinpoint, Uniplex, Teletrac and SW have proposed alternatives for emission mask specifications that are derived (with relaxed parameters) from Sections 21.106, 24.133 and 94.71 of the Commission's Rules.

50. If new Rule Section 90.209(m) is to be altered to be consistent with sections 21.106, 24.133 and 94.71, the Commission should not relax or modify those sections. Weakening or

^{43/} Petitioners are also concerned that Pinpoint and Mobile will so greatly modify their authorized facilities that the band will be deluged with LMS receivers thus increasing the density of LMS' presence in the band which will inexorably lead to more interference.

^{44/} cite

relaxing the emission mask specifications in those sections will result in more adjacent channel (those frequencies that are near the edges of the allocated subbands) interference to other services in the 902-928 MHz band. Since Part 15 devices are limited to low power transmissions, they would be the most severely affected. This would be inconsistent with the Commission's intent in adopting new Rule Section 90.209(m).

51. Petitioners applaud the Commission's obvious concern about interference in the rapidly growing wireless industry and offer the following suggestion consistent with the Commission's intent manifested in this proceeding to reduce interference from LMS transmitters. The Commission should require all spurious and harmonic emissions that fall outside the 902-928 MHz band from LMS transmitters to meet the specifications of new Rule Section 90.209(m). While such a requirement is not as stringent as that required for Part 15 devices (Part 15.205 and 15.209), it would advance the Commission's goal of reducing interference from LMS transmitters to restricted bands located elsewhere in the radio spectrum.

52. The Commission should not alter new Rule Section 90.209(m) if that would mean weakening or relaxing sections 21.106, 24.133 or 94.71. Such a weakening or relaxation would result in adjacent channel interference to Part 15 devices which would negate much of the progress made in the current proceeding by Part 15 devices.

XI. THE COMMISSION SHOULD NOT RESERVE A PORTION OF THE SPECTRUM FOR A SUBBAND THAT WOULD BE SHARED BY SOME MEANS OF COORDINATION.

53. Petitioners oppose that portion of the PFR filed by Pinpoint which requests that the Commission not auction all LMS licenses but instead reserve a portion of the spectrum for

a subband that would be shared.^{45/} According to Pinpoint, users of this subband would be determined through an application and negotiation process, which somehow will result in "consolidated and feasible sharing arrangements."^{46/}

54. It is questionable whether sharing of licenses among LMS operators (either through the time sharing approach recommended by Pinpoint or some other mechanism) will ultimately benefit LMS operators, the Commission or the public. What is not questionable is that coordinated sharing will have a pronounced negative impact upon Part 15 operations and other uses of the band because such sharing will result in (i) an increased number of LMS transmitter locations in a given geographical area; and, (ii) an increased aggregate duty cycle of transmissions from coordinated LMS systems. The outcome will be a significantly increased level of interference to Part 15 and other users of the band, particularly if these coordinated LMS systems are using wideband forward links of the type favored by Pinpoint.^{47/}

55. The Commission should not entertain the concept of a shared subband that can only result in an increased number of LMS systems in the 902-928 MHz band. An increased number of LMS systems can only increase the potential for interference to such systems from the

^{45/} PFR of Pinpoint at pp. 7-13

^{46/} Id. at p. 9

^{47/} The Commission recognizes, and does not permit, coordinated transmissions in a shared band as evidenced by a condition which is placed on equipment certifications for § 15.247 (spread spectrum) equipment. This condition is known as Note 47, which provides that: "This grant is issued subject to the condition that the transmitter covered hereunder will not be marketed with any capability to coordinate its hopping sequence with the hopping sequence of other transmitters, or vice versa, for the purpose of avoiding the simultaneous occupancy of individual hopping frequencies by multiple transmitters."

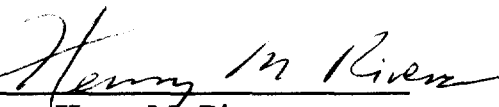
enormous embedded base of Part 15 devices and to Part 15 devices if the LMS systems are using wideband forward links.

XII. CONCLUSION

WHEREFORE, the premises considered, Metricom, Inc. and Southern California Edison Company respectfully request that the Commission take action in this proceeding consistent with the views expressed in their Petition for Reconsideration and in this Opposition.

Respectfully submitted,

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Dated: May 24, 1995

Certificate of Service

I certify that a copy of the foregoing "Opposition of Metricom, Inc. and Southern California Edison Company to Petitions For Reconsideration" was served this 24th day of May, 1995, by U.S. Mail, first class, postage prepaid, on the following:

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